REMARKS

Reconsideration of this application, as amended, is respectfully requested.

Claims 1-4, 6-14, 16-23, 25-31, 33-40, 42-45, 47-50, 52-55, 57, 59-61, 63-65, 67-69, 71-73 and 75-85 are pending. Claims 1-4, 6-14, 16-23, 25-31, 33-40, 42-45, 47-50, 52-55, 57, 59-61, 63-65, 67-69, 71-73 and 75-85 have been rejected. Claims 1, 2, 11, 12, 20, 21, 28, 29, 37, 42, 47, 52, 57, 61, 65, 69, 73, 76, 79, 82, and 85 have been amended. Claims 77 and 80 have been canceled. No claims have been added. Support for the amendments is found in the specification, the drawings, and in the claims as originally filed. Applicant submits that the amendments do not add new matter.

The Examiner rejected claims 1-4, 6-14, 16-23, 25-31, 33-40, 42-45, 47-50, 52-55, 57, 59-61, 63-65, 67-69, 71-73 and 75-85 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,628,303 B1 to Foreman ("Foreman") in view of U.S. Patent No. 6,100,925 to Rosser et al. ("Rosser").

Amended claim 1 reads as follows:

A method for collecting a time based stream of information in a processing system for generating a presentation, the method comprising:

> A) communicating with an information source having a time based stream of information;
>
> B) presenting capture information from the time based stream of information on a portion of a first interface on a display while the capture information is acquired from the information source in a capture mode, the capture mode to import the time based stream of information into the system; and
>
> C) <u>presenting on the first interface on the display at least one enabled control element, which is to control editing of the time based stream of information while presenting the capture information from the</u>

time based stream of information that is currently being imported into the system on the first interface.

(Amended claim 1) (emphasis added)

It is respectfully submitted that Foreman does not teach or suggest a combination with Rosser, and Rosser does not teach or suggest a combination with Foreman. It would be impermissible hindsight, based on Applicant's own disclosure, to combine Foreman and Rosser.

Foreman teaches alternatively selectable interfaces on a display device (col. 1, lines 60-66, **Figure 4**). More specifically, Foreman discloses an interface 54 for capturing video that has display area 120 for displaying the video information that currently being received by the computer (**Figure 8**, col. 9, lines 20-35).

The Examiner noted that Foreman does not teach "the system is capable of editing the information while presenting the capture information from the time based stream of information that is currently being imported into the system."(Office Action, p. 4, 1/17/07). It is respectfully submitted that a combination with Rosser does not cure this deficiency.

Rosser, in contrast, teaches inserting static or dynamic images into a live video broadcast. Rosser, in part, merely discloses displaying the live video scene with the inserted image on a television set (col. 15, lines 21-29). There are no teachings or suggestions in Rosser that would indicate displaying the live video scene with at least one enabled control element, which is to control editing of the time based stream of

information, as recited in amended claim 1. No one would expect a TV viewer to edit live video on the conventional TV set while watching, for example, a sport event, or a movie.

Hence, it is respectfully submitted that even if Foreman and Rosser were combined, such a combination would lack presenting on the first interface on the display at least one enabled control element, which is to control editing of the time based stream of information while presenting the capture information from the time based stream of information that is currently being imported into the system on the first interface, as recited in amended claim 1.

Therefore, Applicant respectfully submits that amended claim 1 is not obvious under 35 U.S.C. § 103(a) over Foreman in view of Rosser.

Given that claims 2-4, 6-14, 16-23, 25-31, and 33-36 contain related limitations, Applicant respectfully submits that claims 2-4, 6-14, 16-23, 25-31, and 33-36 are not obvious under 35 U.S.C. § 103(a) over Foreman in view of Rosser.

Applicant has amended claim 2 to include capturing the time based stream of information from the information source and presenting process information associated with the time based stream of information that is capable of being edited for constructing an edited presentation on the first interface on the display, wherein the process information presents an edit output.

It is respectfully submitted that neither Foreman, Rosser, nor any combination thereof discloses, teaches, or suggests such limitations of amended claim 2.

In particular, the portions of Foreman cited by the Examiner disclose that interface for capturing video has a storyboard region 134 to indicate the plan of shots for the video program for which data is being captured (display area 120, col. 9, lines 25-50, **Figure 8**).

Thus, Foreman merely discloses displaying the information that is currently being captured and the story board region associated with the data that is being captured on the same interface on the display device. In contrast, amended claim 2 refers to presenting capture information while the capture information is acquired from the information source in a capture mode and presenting process information associated with the time based stream of information that is capable of being edited for constructing an edited presentation on the same interface on the display device, wherein the process information presents an edit output.

Rosser, as set forth above, merely teaches presenting the live video with inserted image. Rosser, similarly to Foreman, fails to disclose, teach, or suggest presenting the live video information and presenting the process information associated with the time based information that is capable of being edited for constructing an edited presentation, wherein the process information presents an edit output, on the display device, as recited in amended claim 2. No one would expect a TV viewer to edit the live video scene on the conventional TV set.

As such, even if Foreman and Rosser were combined, such a combination would lack presenting capture information while the capture information is acquired from the information source in a capture mode and presenting process information associated with the time based stream of information that is capable of being edited for constructing an edited presentation on the same interface on the display device, wherein the process information presents an edit output, as recited in amended claim 2.

Therefore, applicant respectfully submits that amended claim 2 is not obvious under 35 U.S.C. § 103(a) over Foreman in view of Rosser.

Given that claims 12, 21, and 29 contain related limitations, applicant respectfully submits thatclaims 12, 21, and 29 are not obvious under 35 U.S.C. § 103(a) over Foreman in view of Rosser.

Amended claim 37 reads as follows:

> A method for collecting a time based stream of information in a processing system for generating a presentation, the method comprising:
>
> > C) detecting a coupling with an information source having a time based stream of information in communication with the processing system, and
> >
> > D) automatically presenting capture information from the time based stream of information on a display in response to the detecting while the capture information is acquired from the information source in a capture mode, the capture mode to import the time based stream of information into the system, wherein the capture information is displayed at a first rate that is substantially the same as the transfer rate at which the time based stream

of information arrives from the information source using an interrupt procedure that iterates at a second rate that is not less than the transfer rate of the time based stream of information.

(Amended claim 37) (emphasis added)

The Examiner stated that "Foreman... teaches... detect an information source having a time based stream of information in communication with the processing system (e.g., a video editing system for editing video information which can be captured directly into a timeline, col. 1, line 64-col. 2, line 8, col. 9, lines 51-58, and **Figs. 8-9**)". (Office Action, 1/17/07, page 10).

Applicant respectfully disagrees. The portions of Foreman cited by the Examiner disclose that the video information can be captured directly into a timeline presentation of a video program. Using a storyboard tied to the capturing process, a user is directed through a process of collecting and capturing the video clips (col. 1, line 64-col. 2, line 8). The interface 54 that provides commands for capturing the video has a selection button 144 allows for the insertion of a new shot (col. 9, lines 51-60, **Figure 8**).

Thus, Foreman merely discloses capturing the time based information directly into a time line presentation of the video program. It is respectfully submitted that Foreman fails to disclose, teach, or suggest detecting a coupling with an information source having a time based stream of information in communication with the processing system, and automatically presenting capture information from the time based stream of information on a display in response to the detecting of the coupling with the information source, as recited in amended claim 37.

It is respectfully submitted that Rosser, similarly to Foreman, fails to disclose such limitations of amended claim 37.

It is respectfully submitted that Foreman fails to disclose, teach, or suggest displaying the capture information, which is currently being captured, at a first rate that is substantially the same as the transfer rate at which the time based stream of information arrives from the information source using an interrupt procedure that iterates at a second rate that is not less than the transfer rate of the time based stream of information, as recited in amended claim 37.

Foreman, in part, merely discloses displaying the captured information that is currently being received directly into a timeline that represents a video program (col. 9, lines 20-32, col. 10, lines 27-33). It is respectfully submitted that Foreman fails to disclose, teach, or suggest transfer rate at which the time based stream of information arrives from the information source. As such, Foreman fails to disclose, teach, or suggest displaying the capture information, which is currently being captured, at a first rate that is substantially the same as the transfer rate of the time based stream of information using an interrupt procedure that iterates at a second rate that is not less than the transfer rate at which the time based stream of information arrives from the information source, as recited in amended claim 37.

Rosser, similarly to Foreman, fails to disclose displaying the capture information, which is currently being captured, at a first rate that is substantially the same as the transfer rate at which the time based stream of information arrives from the information

source using an interrupt procedure that iterates at a second rate that is not less than the transfer rate at which the time based stream of information arrives from the information source, as recited in amended claim 37.

Thus, neither Foreman, Rosser, nor any combination thereof, discloses, teaches, or suggests the discussed limitations of amended claim 37.

Therefore, applicant respectfully submits that amended claim 37 is not obvious under 35 U.S.C. § 103(a) over Foreman in view of Rosser.

Given that claims 38-45, 47-50, 52-55, and 57-76, 78-79, and 80-84 contain related limitations, applicant respectfully submits that claims 38-45, 47-50, 52-55, and 57-84 are not obvious under 35 U.S.C. § 103(a) over Foreman in view of Rosser.

Amended claim 85 includes presenting a process information associated with the time based information that is to be edited for constructing the presentation on the display; and presenting at least one enabled control element on the display to control editing of the information while the time based stream of information is imported into the system and displayed as the capture information, wherein the capture information, the process information, and the at least one enabled control element are displayed in a single interface window.

As set forth above, neither Foreman, Rosser, nor a combination thereof discloses, teaches, or suggest such limitations of amended claim 85.

Therefore, applicant respectfully submits that amended claim 85 is not obvious under 35 U.S.C. § 103(a) over Foreman in view of Rosser.

It is respectfully submitted that in view of the amendments and arguments set forth herein, the applicable rejections and objections have been overcome. If there are any additional charges, please charge Deposit Account No. 02-2666.

Respectfully submitted,

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